

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

COLEMAN DUPONT HOMSEY and :
ELLEN HOMSEY, :
: Plaintiffs, :
: :
v. : Civil Action No. 07-338-JJF
: :
VIGILANT INSURANCE COMPANY, :
: Defendant. :

O R D E R

At Wilmington, this 31 day of July 2007, for the reasons set forth in the Memorandum Opinion issued this date;

IT IS HEREBY ORDERED that:

1. The Motion To Dismiss Plaintiffs' Complaint Based Upon Insufficiency Of Count III (Bad Faith) And Count IV (Consumer Fraud) (D.I. 3) filed by Defendant, Vigilant Insurance Company ("Vigilant") is DENIED.

2. A Scheduling Teleconference will be held on **Wednesday, August 22, 2007 at 1:15 p.m.** Plaintiffs shall initiate the call.

3. A proposed Scheduling Order shall be submitted by the parties no later than 4:30 p.m. on **Tuesday, August 21, 2007**.


UNITED STATES DISTRICT JUDGE